

Torrance, California
May 27, 1941

MINUTES OF A REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF TORRANCE

The City Council of the City of Torrance convened in a Regular Meeting in the Council Chamber, City Hall, Torrance, California, on Tuesday, May 27, 1941 at 7:45 P.M.

Mayor McGuire called the meeting to order.

Clerk Bartlett called the roll, those answering present being Councilmen: Babcock, Murray, Powell and McGuire. Absent: Councilmen: Hitchcock.

Councilman Murray moved that the minutes of a Regular Meeting held May 13, 1941, of an Adjourned Regular Meeting held May 19, 1941 and of an Adjourned Regular Meeting held May 20, 1941 be approved as written. Councilman Powell seconded the motion, which was carried unanimously.

WRITTEN COMMUNICATIONS

A communication was read from the WALTERIA Civic Organization, requesting street signs on the north and south side of Pacific Coast Highway on Neece Avenue in WALTERIA.

Councilman Babcock moved that the request be referred to the Police Department for action if necessary. Councilman Murray seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Murray, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Hitchcock.

A communication was read from the Gardena Valley Chamber of Commerce, registering opposition to any and all attempts that might be made for the establishment of an indigent camp on the Alondra Park site. It was urged that the City Council adopt a resolution opposing any such move, and that the Board of Supervisors be advised of said action.

Councilman Powell moved that the communication be concurred in and that the Los Angeles County Board of Supervisors be advised to this effect. Councilman Murray seconded the motion, which was carried unanimously.

A communication was read from the County of Los Angeles Board of Supervisors, advising that allocations had been authorized from the Special Assessment Relief Fund (1940-41) for relief of the following ad valorem special assessment districts within the limits of the City of Torrance.

<u>District</u>	<u>Amount of Allocation</u>
County A. & I. District No. 122 (Electric Street)	\$2,774.48
County A. & I. District No. 213 (Prairie Avenue)	\$2,539.98

Presented as matter of record.

A communication was read from Louis J. Sauter, Director, Torrance High School Band, extending appreciation for cooperation given by the City Council, and particularly Councilman Powell.

A communication was read from the Junior Class of Torrance High School, extending appreciation for the use of the Civic

Auditorium for the Junior-Senior Prom held May 22, 1941 and commending O. D. Butterfield, City Electrician and James Brodie for cooperation and assistance given while arrangements were being made and during the Prom.

A communication was read from the State Relief Administration, Los Angeles County, proposing that the City of Torrance assume transportation costs of relief clients from the Los Angeles or San Pedro areas, said workers to be assigned to the Torrance project, there not being enough men available in the Torrance area for the project.

Councilman Babcock moved that the communication be referred to the City Council as a whole for further study. Councilman Murray seconded the motion, which was carried unanimously.

A communication was read from William R. Vickroy, 1827 South Grand Avenue, San Pedro, requesting permit to sell fireworks from July 1, to 4, 1941 on 101 Highway, North side, West of Lomita.

Councilman Babcock moved that the request be granted. Councilman Murray seconded the motion, which was carried unanimously.

A communication was read from Dale Riley, Superintendent of Recreation, requesting that a new stand be erected at the south end of the Baseball Bleachers at an approximate cost of \$60.00 for material, the American Legion to furnish all labor therefor.

Councilman Murray moved that an appropriation of not to exceed \$60.00 be made for material to erect a stand at the south end of the Baseball Bleachers at the Municipal Park. Councilman Babcock seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Murray, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Hitchcock.

A communication was read from The Texas Company, enclosing check for \$53.93 in full payment of amounts due as franchise earnings under Ordinance Nos. 117, 884, 1129 and 1377 for the period January 1, 1940 to December 31, 1940 inclusive.

Presented as matter of record.

At 8:00 P.M., Clerk Bartlett opened bid from Shell Oil Company, being bid for franchise and privilege heretofore applied for by said corporation, said franchise and privilege for which bid is made being fully described in Resolution No. 1436 adopted by the City Council April 8, 1941. A certified check in the amount of \$500.00 accompanied the bid for franchise as per notice of sale published in the Torrance Herald on April 10, 17 and 24, 1941 and on May 1, 1941.

Councilman Babcock moved that the bid of Shell Oil Company be accepted. Councilman Murray seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Murray, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Hitchcock.

Clerk Bartlett presented and read title to:

RESOLUTION NO. 1451

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TORRANCE, CALIFORNIA, SELLING AND AWARDED
FRANCHISE AND APPROVING BOND.

Councilman Babcock moved that Resolution No. 1451 be adopted. Councilman Murray seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Murray, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Hitchcock.

Clerk Bartlett presented and read title to:

ORDINANCE NO. 328

AN ORDINANCE OF THE CITY OF TORRANCE,
CALIFORNIA, GRANTING TO SHELL OIL COMPANY,
INCORPORATED, A CORPORATION, A FRANCHISE
TO LAY, CONSTRUCT, MAINTAIN, OPERATE,

REPAIR, RENEW, CHANGE THE SIZE OF, AND REMOVE A PIPE LINE FOR THE TRANSPORTATION OF PETROLEUM, OIL, AND LIQUID HYDROCARBON PRODUCTS THEREOF, AND GAS, OR ANY THEREOF, IN, UNDER, ALONG AND ACROSS CERTAIN PUBLIC STREETS, HIGHWAYS AND ALLEYS IN SAID CITY.

Attorney McCall gave a brief outline of the ordinance.

Councilman Babcock moved that further reading of Ordinance No. 328 be dispensed with. Councilman Murray seconded the motion, which was carried unanimously.

Councilman Babcock moved that Ordinance No. 328 be adopted for first reading. Councilman Murray seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Murray, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Hitchcock.

Clerk Bartlett presented for final reading:

ORDINANCE NO. 326

AN ORDINANCE OF THE CITY OF TORRANCE
CREATING AND ESTABLISHING A CIVIL
SERVICE SYSTEM FOR SAID CITY.

Councilman Babcock moved that further reading of Ordinance No. 326 be dispensed with. Councilman Murray seconded the motion, which was carried unanimously.

Councilman Babcock moved that Ordinance No. 326 be adopted for final reading. Councilman Murray seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Murray, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Hitchcock.

Mr. Klusman objected to the City Judge being placed under Civil Service. Attorney McCall referred to Chapter 48 of the Statutes of 1935, granting authority to the legislative body of any city within the State of California to enact Civil Service Ordinances. He mentioned that practically all City Judges in the State are under Civil Service.

Mr. Klusman's objection was voiced between the time the motion was made and seconded.

Clerk Bartlett presented for final reading:

ORDINANCE NO. 327

AN ORDINANCE OF THE CITY OF TORRANCE
AUTHORIZING THE SALE OF CITY OWNED
REAL PROPERTY; PROVIDING FOR PROCEDURE
TO BE FOLLOWED IN SUCH SALES.

Councilman Babcock moved that further reading of Ordinance No. 327 be dispensed with. Councilman Powell seconded the motion, which was carried unanimously.

Councilman Babcock moved that Ordinance No. 327 be adopted for final reading. Councilman Powell seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Murray, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Hitchcock.

Clerk Bartlett presented and read title to:

RESOLUTION NO. 1452

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE CHANGING THE NAME OF A
PORTION OF CARSON STREET TO EL PRADO.

Councilman Babcock moved that Resolution No. 1452 be adopted. Councilman Murray seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Murray, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Hitchcock.

A petition bearing fifty-two signatures was read, inquiring what requirements are necessary to secure installation of sidewalks, curbs and gutters to include five blocks on Neece Avenue from 240th Street to Newton Street and three blocks on Los Codonas Street in WALTERIA.

Councilman Babcock moved that the petition be referred to Attorney McCall. Councilman Powell seconded the motion, which was carried unanimously.

A communication was read from Louis H. Burke, Legal Counsel for the League of California Cities, in answer to Attorney McCall's letter in which he asked Mr. Burke's opinion as to the interpretation placed upon the language of section 852 of the Municipal Corporations Act. In regard to whether or not an appointive officer is entitled to notice before discharge, and whether, if he is not given notice, he is entitled to thirty days pay, Mr. Burke advised that, in his opinion, from the strict wording of the section authorizing the appointment of city officers and employees that the language "at the pleasure of the city council" (referring to the term of appointment) prevails over any of the presumptions which generally apply to employment contracts. In view of this fact, he stated, an appointed officer of the city of the sixth class whose office is vacated is entitled to compensation only up to the time that the office is declared vacant. He said that, regarding the question about vacation pay, most cities accord an officer such vacation leave as he has actually earned on a pro rata basis up to the time of his discharge, which is handled by having the vacancy take effect at the end of the vacation period but relieving him from his duties immediately.

Attorney McCall attached a note to the communication, advising that he concurred in the opinion of Mr. Burke.

A communication was read from Logan R. Cotton, regarding "an apparent misunderstanding regarding the accounts and records of the Municipal Water Department with particular reference to an account classified as an Unclassified Investment of \$35,000.00 which was set up on the books when the Water Department was purchased."

Mr. Cotton explained that the amount represented difference between the engineer's appraised value and the actual amount paid for the water system. Mr. Cotton added that, in his opinion, the Municipal Water District in the City of Torrance is efficiently and effectively operated and that the books and records of the department are accurately and efficiently kept.

Councilman Powell remarked that the letter was probably in reply to statements made by him at the meeting of May 13, 1941 at which time, reading from the May 13, 1941 minutes, Councilman Powell stated as follows: "There is another case that I am very much interested in. In the purchase of the local water system, there was about \$38,000.00 that was not classified. Every other item of

the deal was classified showing what the money was spent for. That is a lot of money not to be classified, and I would like to know what it went for."

Councilman Powell pointed out that he had not at any time, by direct statements or inferences, criticized the present management of the Municipal Water Department.

He declared further that the letter submitted by Mr. Cotton does not in any way classify the amount of money in question. He added that, with all due regard to Mr. Cotton, he (Councilman Powell) is of the opinion that someone other than an auditor should investigate the matter thoroughly to determine what the \$35,000.00 was spent for.

Mr. Klusman said the engineer's appraised value of the Water Company has no bearing on the question of what the \$35,000.00 was spent for. He contended that actual cash had been deposited in the bank in the amount abovementioned, and said it should have been classified. He charged that the amount had been "unclassified" at approximately the time Mr. Stanger became Manager of the Water Department, and asserted further that Mr. Rambo, former City Auditor, had "unclassified" the amount at this time. He demanded a statement of the unclassified items the money represents. He remarked "it is funny - we have an auditor - had an auditor, that audits quarterly. We have a Mayor that has to sign every bill. Mr. Bartlett signs the bills. The City Treasurer signs the bills and still they don't know where the money is."

Mr. W. H. Tolson, former Mayor, stated that Mr. Cotton's letter clarified the question which arose regarding the account carried as "Unclassified Investment". He explained that the figure represented the difference between the Engineer's appraised value of the Water Department's physical assets and the amount paid by the City for the Water Department, less approximately \$7,000.00 (mentioned in Mr. Cotton's letter) in outstanding accounts payable which the City assumed. He pointed out that, as in purchasing any business, a certain amount is paid for what he termed "good will".

Councilman Murray said his understanding was that \$18,000.00 was set up on the books for good will and organization and asked why, if such is the case, the \$35,000.00 had not been included in the "good will" setup.

Mr. Klusman asked why \$18,000.00 had been paid for good will. Mr. Powell said that he felt satisfied with the account classed as good will, but that he still wishes to know what the \$35,000.00 or so represents.

At the request of Mr. Tolson, Mayor McGuire re-read the communication from Logan R. Cotton.

After prolonged discussion, Councilman Babcock moved that the matter be referred to the City Council as a whole for thorough investigation; that the first audit made after purchase of the Water Department be studied carefully in an effort to offer a satisfactory explanation to the public as to precisely what the \$35,000.00 in question represents. Councilman Murray seconded the motion, which was carried unanimously.

Councilman Babcock moved that the communication from Logan R. Cotton be filed. Councilman Murray seconded the motion, which was carried unanimously.

Councilman Murray suggested that the former City Auditor, Mr. C. J. Rambo, be contacted and asked to meet with the Council on this matter, remarking that "if he didn't know what it was spent for, how do we expect Mr. Cotton to know, who comes along five or six years later. He (Mr. Cotton) knows the money was spent as an unclassified asset, but what for -- that is something he doesn't know."

Clerk Bartlett was instructed to contact Mr. C. J. Rambo, former City Auditor, and request him to meet with the City Council regarding an account in the Water Department books listed as "Unclassified Investment", there being some question regarding what this amount represents.

It was also suggested that as many men as possible who were serving on the City Council at the time the Water Department was purchased be contacted and asked to meet with the present City Council for discussion of this matter.

Councilman Powell moved that an appropriation of not to exceed \$64.00, plus sales tax, be made for purchase of 24 signs to be affixed to street light poles. Councilman Murray seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Murray, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Hitchcock.

Councilman Powell moved that the collection of all fines and monies pertaining to the City Court, City of Torrance, be turned over to City Judge John A. Shidler, and that he turn over all monies collected to the City Treasurer and obtain receipts therefor. Councilman Murray seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Murray, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Hitchcock.

Councilman Powell moved that City Attorney McCall be authorized and instructed to begin legal proceedings to collect \$339.00 from Robert F. Lessing, former City Judge, which amount, Mr. Powell stated, represents fines collected but not turned over to the City Clerk, according to the audit report rendered recently by Logan R. Cotton, City Auditor, which report was read at a regular meeting of the City Council held May 13, 1941. Councilman Murray seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Murray, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Hitchcock.

Councilman Babcock moved that Police Commissioner Powell and Fire Chief McMaster be authorized to attend the Fire Chief's meeting at Oceanside June 7, and 8, 1941, expenses paid. Councilman Murray seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Murray, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Hitchcock.

Mayor McGuire announced that \$8,055.00 had been received from the Los Angeles County Board of Supervisors for purchase of property on Cabrillo Avenue, which property is owned by the Pacific Electric Railway Company, and that said amount had been forwarded to Pacific Electric Railway Company per agreement.

Mayor McGuire moved that an appropriation of not to exceed \$90.00 be made for repairs to the International truck for the Street Department. Councilman Murray seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Murray, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Hitchcock.

Mayor McGuire moved that an appropriation of not to exceed \$55.00 be made for purchase of an adding machine for the Torrance Municipal Bus Lines Department. Councilman Powell seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Murray, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Hitchcock.

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ORAL COMMUNICATIONS

Mrs. Gonner of North Torrance advised that she felt the persons who are circulating petitions to obtain signatures to recall Councilmen Powell, Babcock and Murray are using unfair tactics, inasmuch as, she stated, the North Torrance residents who have recently suffered a water shortage due to collapse of the Crown Water Company have been told by the petition circulators that they can obtain the needed water only if the three Councilmen are recalled, when, in reality, she continued, the entire Council has cooperated to the fullest extent in endeavoring to solve this problem.

Mr. Klusman advised that the Pacific Electric Railway Company had formerly asked a much higher price for the Cabrillo Avenue right of way, but that, partly due to his efforts in protesting purchase, the City had been able to secure the right of way for the low price of \$8,055.00 as reported by Mayor McGuire.

A lady in the assemblage asked that an ordinance be enacted prohibiting keeping of ducks in the City of Torrance. She was advised by Councilman Babcock that an ordinance is being drafted on this matter at the present time.


Mr. I. J. Hallanger expressed appreciation, on behalf of the Torrance City Employees Association, for passage of Ordinance No. 326, the Civil Service Ordinance.

Mr. Buxton presented additional petitions to the one already on file requesting that Torrance Boulevard be paved its entire width in preference to leaving a parkway in the center.

Mr. John Holm remarked that, inasmuch as Torrance Boulevard will steadily develop into a business street, it would be very advantageous to have it paved its entire width as requested.

Councilman Babcock moved all bills properly audited be paid. Councilman Murray seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Murray, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Hitchcock.

At 9:00 P.M., upon motion of Councilman Babcock, seconded by Councilman Murray, the meeting adjourned to June 3, 1941 at 5:00 P.M.


City Clerk of the City of Torrance

APPROVED:


Mayor of the City of Torrance